

ASSEMBLY BILL

No. 1696

Introduced by Assembly Member Cook

February 15, 2012

An act to amend Section 35401.5 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1696, as introduced, Cook. Vehicle combinations: motorsports: length.

Existing law prohibits a combination of vehicles coupled together, including attachments, from being operated on the highway if a specified maximum length is exceeded, subject to specified exceptions. Existing law permits the use of a semitrailer in exclusive combination with a truck tractor if its length does not exceed 53 feet, as specified. Existing law authorizes the Department of Transportation or local authorities, with regard to highways under their respective jurisdictions, to issue a special permit authorizing a person to operate a combination of vehicles consisting of a truck tractor semitrailer combination with a kingpin to rearmost axle measurement limit of not more than 46 feet on trailers used exclusively or primarily in connection with motorsports, as defined.

This bill would authorize the department or local authorities to issue a permit authorizing the operation of a semitrailer used exclusively or primarily for motorsports that is not more than 56 feet in length.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 35401.5 of the Vehicle Code is amended to read:

35401.5. (a) A combination of vehicles consisting of a truck tractor and semitrailer, or of a truck tractor, semitrailer, and trailer, is not subject to the limitations of Sections 35400 and 35401, when operating on the National System of Interstate and Defense Highways or when using those portions of federal-aid primary system highways that have been qualified by the United States Secretary of Transportation for that use, or when using routes appropriately identified by the Department of Transportation or local authorities as provided in subdivision (c) or (d), if all of the following conditions are met:

(1) The length of the semitrailer in exclusive combination with a truck tractor does not exceed 48 feet. A semitrailer not more than 53 feet in length shall satisfy this requirement when configured with two or more rear axles, the rearmost of which is located 40 feet or less from the kingpin or when configured with a single axle which is located 38 feet or less from the kingpin. For purposes of this paragraph, a motortruck used in combination with a semitrailer, when that combination of vehicles is engaged solely in the transportation of motor vehicles, camper units, or boats, is considered to be a truck tractor.

(2) Neither the length of the semitrailer nor the length of the trailer when simultaneously in combination with a truck tractor exceeds 28 feet 6 inches.

(b) Subdivisions (b), (d), and (e) of Section 35402 do not apply to combinations of vehicles operated subject to the exemptions provided by this section.

(c) Combinations of vehicles operated pursuant to subdivision (a) may also use highways not specified in subdivision (a) ~~which~~ that provide reasonable access to terminals and facilities for purposes limited to fuel, food, lodging, and repair ~~when if~~ that access is consistent with the safe operation of the combinations of vehicles and ~~when~~ the facility is within one road mile of identified points of ingress and egress to or from highways specified in subdivision (a) for use by those combinations of vehicles.

(d) The Department of Transportation or local authorities may establish a process whereby access to terminals or services may

1 be applied for upon a route not previously established as an access
2 route. The denial of a request for access to terminals and services
3 shall be only on the basis of safety and an engineering analysis of
4 the proposed access route. If a written request for access has been
5 properly submitted and has not been acted upon within 90 days of
6 receipt by the department or the appropriate local agency, the
7 access shall be deemed automatically approved. Thereafter, the
8 route shall be deemed open for access by all other vehicles of the
9 same type regardless of ownership. In lieu of processing an access
10 application, the Department of Transportation or local authorities
11 with respect to highways under their respective jurisdictions may
12 provide signing, mapping, or a listing of highways as necessary
13 to indicate the use of specific routes as terminal access routes. For
14 purposes of this subdivision, "terminal" means either of the
15 following:

16 (1) A facility where freight originates, terminates, or is handled
17 in the transportation process.

18 (2) A facility where a motor carrier maintains operating
19 facilities.

20 (e) Nothing in subdivision (c) or (d) authorizes state or local
21 agencies to require permits of terminal operators or to charge
22 terminal operators fees for the purpose of attaining access for
23 vehicles described in this section.

24 (f) Notwithstanding subdivision (d), the limitations of access
25 specified in that subdivision do not apply to licensed carriers of
26 household goods when directly enroute to or from a point of
27 loading or unloading of household goods, if travel on highways
28 other than those specified in subdivision (a) is necessary and
29 incidental to the shipment of the household goods.

30 (g) (1) Notwithstanding Sections 35400 and 35401, the
31 Department of Transportation or local authorities, with regard to
32 highways under their respective jurisdictions, may, upon
33 application, issue a special permit authorizing the applicant to
34 operate a combination of vehicles consisting of a truck tractor
35 semitrailer combination operated pursuant to subdivision (a) with
36 a *length of not more than 56 feet, and a kingpin to rearmost axle*
37 measurement limit of not more than 46 feet on trailers used
38 exclusively or primarily in connection with motorsports. As used
39 in this paragraph, "motorsports" means any event, and all activities
40 leading up to that event, including, but not limited to,

1 administration, testing, practice, promotion, and merchandising,
2 that is sanctioned under the auspices of the member organizations
3 of the Automobile Competition Committee for the United States.

4 (2) A local authority, as a condition of issuing a special permit
5 under this subdivision, may establish reasonable controls on the
6 allowable hours of operation of those semitrailers that are
7 authorized to operate under this subdivision.

8 (h) The Legislature finds and declares both of the following:

9 (1) In authorizing the use of 53-foot semitrailers, it is the intent
10 of the Legislature to conform with Section 2311(b) of Title 49 of
11 the United States Code by permitting the continued use of
12 semitrailers of the dimensions as those that were in actual and legal
13 use on December 1, 1982, and does not intend this action to be a
14 precedent for future increases in the parameters of any of those
15 vehicles that would adversely affect the turning maneuverability
16 of vehicle combinations.

17 (2) In authorizing the department to issue special transportation
18 permits for motorsports, it is the intent of the Legislature to
19 conform with Section 31111(b)(1)(E) of Title 49 of the United
20 States Code. It is also the intent of the Legislature that this action
21 not be a precedent for future increases in the distance from the
22 kingpin to the rearmost axle of semitrailers that would adversely
23 affect the turning maneuverability of vehicle combinations.